



SPECIAL HANDLING

Special handling is the expedited processing of an application for registration of a claim to copyright or for the recordation of a document pertaining to copyright. It is granted in a limited number of cases to those who have compelling reasons for this service. It is subject to the approval of the chief of the Receiving and Processing Division, who takes into account the workload of the Copyright Office at the time the request is made.

Instances for Which Special Handling is Granted

Special handling is granted only in special circumstances. These are:

- pending or prospective litigation
- customs matters, or
- contract or publishing deadlines that necessitate the expedited issuance of a certificate

Special handling is not available for appeals to the Office concerning rejection of claims to registration.

Processing Time for Special Handling Cases

Once a request for special handling is approved, every attempt is made to process the claim or recordation within 5 working days. However, no guarantee is made that the work can be processed within this time. If correspondence is required, the Office makes every effort to process the claim expeditiously after the reply is received. Once a claim is processed, the Office either issues the certificate of registration or notifies the applicant of any defect in the claim. In the case of a document, the document is returned with a certificate of recordation.

SPECIAL HANDLING FEE

The fee for a special handling request is \$500, plus a \$30* filing fee or, if the request is for recording a document, \$330 plus the applicable recordation fee (\$50* for a document listing no more than 1 title, plus \$15* for each group of 10 or fewer additional titles). The fee may be

charged to a Deposit Account established in the Copyright Office or may be paid by check or money order. The fee may also be paid in cash, if it is paid in person at the Copyright Office. Once a request for special handling is granted, the fee is **not** refundable. If a check is returned for insufficient funds, the registration or recordation will be cancelled.

A few points about paying the fee: Drafts (checks) must be redeemable without a service or exchange fee through a U.S. institution, must be payable in U.S. dollars, and must be imprinted with American Banking Association routing numbers. International money orders and foreign postal money orders that are negotiable only at a post office are not accepted. Deposit Accounts must contain sufficient funds. If a replenishment check accompanies a claim, processing cannot begin until the money has been posted to the Deposit Account.

***NOTE:** The fees for registration of copyright claims, recordation of documents, recordation of NIEs, certifications, searches, filing notice of intention to make and distribute phonorecords, and receipt for deposits are effective through June 30, 2002. The fees for special handling and full-term retention of copyright deposits and the surcharges for expedited certifications and documents services and for expedited reference and bibliographic searches are effective through June 30, 2001. For information on the fee changes, please write the Copyright Office, check the Copyright Office Website at www.loc.gov/copyright, or call (202) 707-3000.

Multiple Claims with One Deposit

The \$500 fee is charged for each application for registration accepted for special handling with the following exception: If special handling is requested for only one of several claims submitted at the same time with a single deposit, which is an acceptable deposit for all the claims, the fee for processing the additional claims is \$50 each plus the filing fee for each claim. The claim for which special handling is requested is processed for \$500 plus the

filing fee. This narrow exception applies only where a single set of deposit copies may appropriately be submitted to register multiple claims in accordance with the practices of the Copyright Office. The applicant is given the option of submitting an additional set of copies for each application to avoid assessment of the special \$50 fee.

HOW TO REQUEST SPECIAL HANDLING

Special handling may be requested in person or by mail. The Copyright Office has a form that applicants who come in to the Office are asked to fill out indicating the need for special handling. Applicants by mail must provide a letter that answers the question, "Why is there an urgent need for special handling?" The urgent need must fall within one of the three previously mentioned categories. The request must also include a signed statement certifying that the information contained in the request is correct to the best of the requestor's knowledge.

The request form or letter must also be accompanied by:

- the appropriate application form for registration or the document that is to be recorded;
- a nonrefundable filing fee or recordation fee;
- the required deposit copies, phonorecords, or identifying material; and
- the \$500 (or \$330 fee for a document) special handling fee.

If a certified copy of the deposit is needed, include the request for certification, the certification fee of \$65, and the minimum copying fee of \$15 at the time the request for special handling is made. This will facilitate the certification process and avoid payment of certain fees at a later date. The certified copy will be mailed under separate cover. See Circular 6 for additional information on requesting a certified copy of a deposit.

All these items should be submitted together in one package. Special handling procedures may be applied to cases pending in the Copyright Office, provided the previously mentioned criteria are met.

Regardless of the length of time it takes to process any claim, the effective date of registration is the date the Office receives all the required elements in acceptable form.

In-person Request

To request special handling in person, come to the Public Information Office of the Copyright Office, Room LM-401, James Madison Memorial Building, Library of Congress, 101 Independence Avenue, S.E., Washington, D.C., between the hours of 8:30 a.m. to 5:00 p.m., eastern time,

Monday through Friday, excluding federal holidays. **Do not use this address for special handling correspondence.**

Mail-in Request

To request special handling by mail, use **only** the following address, exactly as shown:

Library of Congress
Department 100
101 Independence Avenue, S.E.
Washington, D.C. 20540

To request special handling for a submission **that is already in the Copyright Office**, the cover letter that indicates the compelling need for special handling should also include as much identifying information as possible about the pending claim. Include the date of the original submission and how it was delivered to the Copyright Office (in person, by courier, or by mail). If sent by mail, indicate the date of the mailing and the type of mailing (registered, certified, first class, etc.). Include a full description of the copies sent and a photocopy of the application form if available. Processing for such cases cannot begin until the material already in the Office is located.

FOR FURTHER INFORMATION

Information via the Internet: Circulars, announcements, regulations, other related materials, and all copyright application forms are available on the Copyright Office Website at www.loc.gov/copyright

Information by fax: Circulars and other information (but not application forms) are available by Fax-on-Demand at (202)707-2600.

Information by telephone: For general information about copyright, call the Copyright Public Information Office at (202)707-3000. The TTY number is (202)707-6737. Information specialists are on duty from 8:30 a.m. to 5:00 p.m., eastern time, Monday through Friday, except federal holidays. Recorded information is available 24 hours a day. Or, if you know which application forms and circulars you want, request them from the Forms and Publications Hotline at (202)707-9100 24 hours a day. Leave a recorded message.

Information by regular mail: Write to:

Library of Congress
Copyright Office
Publications Section, LM-455
101 Independence Avenue, S.E.
Washington, D.C. 20559-6000